

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Madam President, I am sure the Senator is concerned about costs. Yet, the same Senators blocking Patricia Millett's confirmation were not concerned when an unnecessary shutdown of the government cost the taxpayers billions of dollars.

I also note that under President Bush, there were 11 judges on the DC Circuit Court of Appeals with a lower caseload. Now there are 8 judges with a higher caseload. The numbers are the numbers.

President Obama is being treated differently than President Bush was. Patricia Millett is being treated differently than John Roberts was. It is not fair, it is not an extraordinary circumstance, and there is no justification for it.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. What that doesn't take into consideration is that there are six senior status judges on this court. Chief Judge Garland told us that their workload is the equivalent of 3¼ judges. So presently there are enough judges to go around and that would equal 11¼ judges. There are 8 judges there now plus the 3¼ that have senior status. There are plenty of reasons not to fill any more seats on this court.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Patricia Ann Millett, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CHAMBLISS (when his name was called). "Present."

Mr. HATCH (when his name was called). "Present."

Mr. ISAKSON (when his name was called). "Present."

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE), the Senator from Texas (Mr. CRUZ), and the Senator from Wyoming (Mr. ENZI).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 55, nays 38, as follows:

[Rollcall Vote No. 227 Ex.]

YEAS—55

Baldwin	Casey	Heinrich
Baucus	Collins	Heitkamp
Begich	Coons	Hirono
Bennet	Donnelly	Johnson (SD)
Blumenthal	Durbin	Kaine
Booker	Feinstein	King
Brown	Franken	Klobuchar
Cantwell	Gillibrand	Landrieu
Cardin	Hagan	Leahy
Carper	Harkin	Levin

Manchin
Markey
McCaskill
Menendez
Merkley
Mikulski
Murkowski
Murphy
Murray

Nelson
Pryor
Reed
Rockefeller
Sanders
Schatz
Schumer
Shaheen
Stabenow

Tester
Udall (CO)
Udall (NM)
Warner
Warren
Whitehouse
Wyden

NAYS—38

Alexander
Ayotte
Barrasso
Blunt
Boozman
Burr
Coats
Coburn
Cochran
Corker
Cornyn
Crapo
Fischer

Flake
Graham
Grassley
Heller
Hoeven
Johanns
Johnson (WI)
Kirk
Lee
McCain
McConnell
Moran
Paul

Portman
Reid
Risch
Roberts
Rubio
Scott
Sessions
Shelby
Thune
Toomey
Vitter
Wicker

ANSWERED "PRESENT"—3

Chambliss Hatch Isakson

NOT VOTING—4

Boxer
Cruz Enzi
Inhofe

The PRESIDING OFFICER. On this vote, the yeas are 55, the nays are 38, and three Senators responded "Present." Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to.

The majority leader.

Mr. REID. Madam President, I enter a motion to reconsider the vote by which cloture was not invoked on the nomination of Ms. Millett.

The PRESIDING OFFICER. The motion is entered.

VOTE EXPLANATION

• Mrs. BOXER. Madam President, I was unable to attend the rollcall vote on the motion to invoke cloture on the nomination of Patricia Ann Millett, of Virginia, to be U.S. Circuit Judge for the District of Columbia Circuit. Had I been present, I would have voted "yea."•

Mr. REID. Madam President, I ask unanimous consent that the Senate recess until 2 p.m., and that at 2 p.m. the Senate proceed to a period of morning business for debate only until 6 p.m. with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. The Senate stands in recess until 2 p.m.

Thereupon, the Senate, at 12:59 p.m., recessed until 2 p.m. and reassembled when called to order by the Presiding Officer (Ms. HEITKAMP).

MORNING BUSINESS

The PRESIDING OFFICER. The Senator from Massachusetts.

CONGRATULATING THE BOSTON RED SOX

Mr. MARKEY. Madam President, I come to the floor to discuss the first

policy-focused legislation I am introducing as a Senator. I believe it will be a win for Massachusetts and a win for the Nation. But before I do so, I would like to comment briefly about another win last night for Massachusetts and for Red Sox Nation everywhere.

Behind the mighty bat of Big Papi, the tireless and tough arms of Jon Lester, John Lackey, and Koji Uehara, and the incredible power of the beard, this unlikely Red Sox team took us from last in the division to first in the world.

For many of us in Massachusetts, this was not just about baseball. Because on Patriots' Day, when the Sox play in the morning and New England comes together for a celebration, evil visited our city at the Boston Marathon this year.

While this team cannot bring back the lives we lost or heal the wounds inflicted, it did what no other team besides the Red Sox can do: It reaffirmed our common bond in Massachusetts, in New England, and with Red Sox Nation fans everywhere.

It is often said that baseball is a game of inches. But it is also a game that can span miles, bringing people together across entire communities and cultures, bridging differences and building friendships. That is what Red Sox baseball did for Boston, for Massachusetts, and for New England this year, when we needed it the most. The Red Sox gave us the chance to all raise our hands in triumph once again together as one.

The Red Sox came back to win in dozens of games. They never gave up. They fought to the last pitch in every game, showing the resilience that reflected the response of an entire city and region after the marathon tragedy, and in doing so they gave us so much more than entertainment. They gave us hope, something to cheer for, and something else to talk about at a time of deep sadness in our region.

As the song says: "Don't worry about a thing, 'cause every little thing gonna be all right." Watching the celebrations last night in and around Fenway and especially on Boylston Street, just a brief distance from the marathon finish, reminds me of how proud I am to represent this great city and the Commonwealth of Massachusetts in the Senate.

The Sox team that won the World Series in 2004 allowed us to release 86 years of disappointment. This year's team allowed us to cheer again after months of mourning. For that, we congratulate and thank the 2013 World Series champions, the Boston Red Sox.

(The remarks of Mr. MARKEY pertaining to the introduction of S. 1627 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. MARKEY. I yield back the remainder of my time.

The PRESIDING OFFICER. The Republican whip.

Mr. CORNYN. Madam President, I offer my congratulations to the Senator from Massachusetts for the World